

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CAMERON WILLIAMS,

Plaintiff,

vs.

SCOTT FRAKES, BRAD HANSEN,  
CHRISTOPHER CONNELLY, SCOTT  
BUSSBOOM, MATILDA SERNA, ATHENA  
SHERMAN, SUSAN TALENT, NICHOLAS  
NEUJARTH, JUSTIN HOUSEMAN,  
MICHELLE CAPPS, SHAWN SHERMAN,  
TODD HAUSSLER, CHELSEA DE LA  
CRUZ, DIANE SABATKA-RINE, CRAIG  
GABLE, TAGGART BOYD, JOHN DOES  
1-5, and BARB LEWIEN,

Defendants.

**4:22CV3071**

**THIRD AMENDED  
FINAL PROGRESSION ORDER**

This matter comes before the Court on Plaintiff's unopposed motion to amend progression order. [Filing No. 180](#). For good cause shown, the motion is granted. Accordingly,

IT IS ORDERED that the provisions of the Court's previous final progression order remain in effect, and in addition to those provisions, case progression shall be amended as follows:

- 1) Discovery has been bifurcated on the issues of administrative exhaustion and the merits. Accordingly, the trial, pretrial conference, and further status conference will not be set at this time. Instead, the parties are instructed to contact the appointed special master or assigned magistrate judge within **5 days** of the Court's ruling denying any part of a party's motion for summary judgment or motion to dismiss relating to administrative exhaustion in order to set a status conference to discuss case progression on the merits issue.
- 2) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **November 6, 2024**.
  - a. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is 20.
  - b. Depositions will be limited by Rule 30(d)(1).

- 3) The deadline for filing motions to dismiss and motions for summary judgment on the issue of exhaustion only is **November 20, 2024**.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds on the issue of exhaustion only is **November 20, 2024**.
- 5) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 6) All requests for changes of deadlines or settings established herein shall be directed to the appointed special master or assigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 10th day of September, 2024.

SIGNED:

s/ Kate O. Rahel

Appointed Special Master